

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) **MAIL STOP AMENDMENT**  
Toshihisa Nakamura et al. )  
Application No.: 10/519,790 ) Group Art Unit: 3736  
Filed: September 22, 2005 ) Examiner: Jonathan M Foreman  
For: BODY FLUID COLLECTING ) Confirmation No.: 3076  
DEVICE )

**RESPONSE TO HOLDING OF LACK OF UNITY OF INVENTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated August 7, 2009, the following remarks are submitted.

The aforementioned Official Action indicates that the claims in this application are directed to two different inventions lacking unity of invention. As identified in the Official Action, the two inventions are as follows.

Group I invention recited in Claims 28-42 drawn to a body fluid collection device.

Group II invention set forth in Claims 43-57 directed to a body fluid collection device.

Based on the observation that the two inventions lack unity of invention, a restriction requirement is imposed requiring an election of one of the two inventions.

Applicants hereby elect, the Group I invention recited in Claims 28-42.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 8, 2009

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